

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:15-cv-01445-RDM**

KING v. UNITED STATES DEPARTMENT OF JUSTICE  
Assigned to: Judge Randolph D. Moss  
Cause: 05:552 Freedom of Information Act

Date Filed: 09/03/2015  
Jury Demand: None  
Nature of Suit: 550 Prisoner Petition: Civil Rights (Other)  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**RICHARD ALAN KING**

represented by **RICHARD ALAN KING**  
R97546-131  
SCHUYLKILL  
FEDERAL CORRECTIONAL  
INSTITUTION  
Inmate Mail/Parcels  
P.O. BOX 759  
MINERSVILLE, PA 17954  
PRO SE

V.

**Defendant**

**UNITED STATES DEPARTMENT OF  
JUSTICE**

represented by **Joshua L. Rogers**  
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**TERMINATED: 06/28/2017**

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**TERMINATED: 12/02/2015**

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 TERMINATED: 05/09/2016

| Date Filed | #         | Docket Text   |
|------------|-----------|---|
| 09/03/2015 | <u>1</u>  | COMPLAINT against UNITED STATES DEPARTMENT OF JUSTICE filed by RICHARD ALAN KING. (Attachments: # <u>1</u> Civil Cover Sheet)(zrdj) (Entered: 09/04/2015)   |
| 09/03/2015 | <u>2</u>  | MOTION for Leave to Proceed in forma pauperis by RICHARD ALAN KING (zrdj) (Entered: 09/04/2015)   |
| 09/03/2015 | <u>3</u>  | PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by RICHARD ALAN KING (zrdj) (Entered: 09/04/2015)  |
| 09/03/2015 | <u>4</u>  | ORDER directing an initial partial filing fee in the amount of \$19.83 be made from Prison Account of RICHARD ALAN KING ; further ordered, granting <u>2</u> MOTION for Leave to Proceed in forma pauperis (See Order for full details). Signed by Judge Rudolph Contreras on 9/1/2015. (zrdj) (Entered: 09/04/2015)  |
| 09/04/2015 | <u>5</u>  | SUMMONS (3) Issued as to UNITED STATES DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General. (md) (Entered: 09/04/2015)   |
| 09/21/2015 | <u>6</u>  | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF JUSTICE served on 9/9/2015, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 9/9/2015., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/9/2015. ( Answer due for ALL FEDERAL DEFENDANTS by 10/9/2015.) (zrdj) (Entered: 09/22/2015) |
| 10/02/2015 | <u>7</u>  | NOTICE of Appearance by Jodi George on behalf of UNITED STATES DEPARTMENT OF JUSTICE (George, Jodi) (Entered: 10/02/2015)   |
| 10/05/2015 | <u>8</u>  | MOTION for Extension of Time to <i>Respond to Plaintiff's Complaint</i> by UNITED STATES DEPARTMENT OF JUSTICE (George, Jodi) (Entered: 10/05/2015)   |
| 10/05/2015 |           | MINUTE ORDER: Defendant's Motion for Extension of Time <u>8</u> is hereby GRANTED. Defendant shall respond to Plaintiff's Complaint <u>1</u> on or before November 6, 2015. Signed by Judge Randolph D. Moss on 10/5/2015. (lcrdm2, ) (Entered: 10/05/2015)   |
| 10/05/2015 |           | Set/Reset Deadlines: Response due by 11/6/2015 to the Complaint <u>1</u> . (dot) (Entered: 10/06/2015)  |
| 11/05/2015 | <u>9</u>  | ANSWER to <u>1</u> Complaint by UNITED STATES DEPARTMENT OF JUSTICE.(George, Jodi) (Entered: 11/05/2015)  |
| 11/05/2015 | <u>10</u> | PROPOSED BRIEFING SCHEDULE re <u>9</u> Answer to Complaint by UNITED STATES DEPARTMENT OF JUSTICE. (George, Jodi) (Entered: 11/05/2015)   |
| 11/05/2015 | <u>11</u> | ENTERED IN ERROR.....ORDER: Defendant's Motion for a Proposed Briefing Schedule <u>9</u> is hereby GRANTED in part and DENIED in part. See Order for details. Signed by Judge Randolph D. Moss on 11/5/2015. (lcrdm2, ) Modified on 11/6/2015 incorrect dates in attached Order (kt). (Entered: 11/05/2015)   |

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| 11/06/2015 | <u>12</u> | ORDER: Defendant's Motion for a Proposed Briefing Schedule <u>9</u> is hereby GRANTED in part and DENIED in part; Defendant shall file its Motion for Summary Judgment and/or Motion to Dismiss and any Vaughn index on or before December 7, 2015; Plaintiff shall file his opposition to Defendants Motion for Summary Judgment and/or Motion to Dismiss on or before January 4, 2016; and Defendant shall file a reply, if necessary, in support of its Motion for Summary Judgment and/or Motion to Dismiss on or before January 18, 2016. Signed by Judge Randolph D. Moss on 11/5/2015. (kt) (Entered: 11/06/2015) |
| 11/06/2015 |           | Set/Reset Deadlines: Defendant shall file its Motion for Summary Judgment and/or Motion to Dismiss and any Vaughn index on or before 12/7/2015; Plaintiff shall file his opposition to Defendants Motion for Summary Judgment and/or Motion to Dismiss on or before 1/4/2016; Defendant shall file a reply, if necessary, in support of its Motion for Summary Judgment and/or Motion to Dismiss on or before 1/18/2016. (kt) (Entered: 11/06/2015)  |
| 12/02/2015 | <u>13</u> | NOTICE of Appearance by Michael Steven Taylor on behalf of UNITED STATES DEPARTMENT OF JUSTICE (Taylor, Michael) (Entered: 12/02/2015)   |
| 12/02/2015 | <u>14</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Michael Steven Taylor on behalf of UNITED STATES DEPARTMENT OF JUSTICE Substituting for attorney Jodi George (Taylor, Michael) (Entered: 12/02/2015)  |
| 12/02/2015 | <u>15</u> | MOTION for Extension of Time to <i>File Motion for Summary Judgment and/or Motion to Dismiss</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Taylor, Michael) (Entered: 12/02/2015)   |
| 12/02/2015 |           | MINUTE ORDER: Defendant's Motion for Extension of Time <u>15</u> is hereby GRANTED. Defendant shall file its motion for summary judgment and/or motion to dismiss on or before December 21, 2015. Signed by Judge Randolph D. Moss on 12/2/2015. (lcrdm2, ) (Entered: 12/02/2015)  |
| 12/02/2015 |           | Set/Reset Deadline: Defendant shall file its motion for summary judgment and/or motion to dismiss on or before 12/21/2015. (kt) (Entered: 12/02/2015)  |
| 12/21/2015 | <u>16</u> | Second MOTION for Extension of Time to <i>File a Motion for Summary Judgment and/or Motion to Dismiss</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Taylor, Michael) (Entered: 12/21/2015)  |
| 12/21/2015 |           | MINUTE ORDER: Defendant's Second Motion for Extension of Time <u>16</u> is hereby GRANTED. Defendant shall file its motion for summary judgment and/or motion to dismiss on or before February 25, 2016. Signed by Judge Randolph D. Moss on 12/21/2015. (lcrdm2, ) (Entered: 12/21/2015)  |
| 12/22/2015 |           | Set/Reset Deadline: Defendant shall file its motion for summary judgment and/or motion to dismiss on or before 2/25/2016. (kt) (Entered: 12/22/2015)   |
| 02/09/2016 | <u>17</u> | MOTION for Referral to the Office of Professional Responsibility for Misconduct by RICHARD ALAN KING (zrdj) (Entered: 02/12/2016)  |
| 02/09/2016 | <u>18</u> | MOTION for Referral to the Office of the Inspector General by RICHARD ALAN KING (zrdj) (Entered: 02/12/2016)   |
| 02/09/2016 | <u>19</u> | MOTION for Sanctions by RICHARD ALAN KING (zrdj) (Entered: 02/12/2016)   |
| 02/09/2016 | <u>20</u> | MOTION for Declaratory Judgment by RICHARD ALAN KING (zrdj) (Entered: 02/12/2016)  |
| 02/09/2016 | <u>21</u> | MOTION to Take Judicial Notice by RICHARD ALAN KING (zrdj) (Entered: 02/12/2016)   |
| 02/10/2016 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$10.00, receipt number: 4616075913. (zrdj) (Entered: 02/10/2016)  |
| 02/23/2016 | <u>22</u> | RESPONSE re <u>17</u> MOTION for Referral to the Office of Professional Responsibility for Misconduct, <u>21</u> MOTION to Take Judicial Notice, <u>18</u> MOTION for Referral to the Office of the Inspector General, <u>20</u> MOTION for Declaratory Judgment, <u>19</u> MOTION   |

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|            |           | for Sanctions filed by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Certificate of Service)(Taylor, Michael) (Entered: 02/23/2016)   |
| 02/25/2016 | <u>23</u> | Third MOTION for Extension of Time to <i>file Motion for Summary Judgment and/or Motion to Dismiss</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Taylor, Michael) (Entered: 02/25/2016)  |
| 02/25/2016 | <u>24</u> | SUPPLEMENTAL MEMORANDUM to re <u>23</u> Third MOTION for Extension of Time to <i>file Motion for Summary Judgment and/or Motion to Dismiss (corrected memorandum)</i> filed by UNITED STATES DEPARTMENT OF JUSTICE. (Taylor, Michael) (Entered: 02/25/2016)   |
| 02/25/2016 | 25        | MINUTE ORDER: Defendant's Third Motion for Extension of Time <u>23</u> is hereby GRANTED. Defendant shall file its motion for summary judgment and/or motion to dismiss on or before March 3, 2016. No further extensions of time will be granted absent a showing of extraordinary circumstances. Signed by Judge Randolph D. Moss on 2/25/2016. (lcrdm2, ) (Entered: 02/25/2016)  |
| 02/26/2016 |           | Set/Reset Deadline: Defendant shall file its motion for summary judgment and/or motion to dismiss on or before by 3/3/2016. (kt) (Entered: 02/26/2016)  |
| 03/03/2016 | <u>26</u> | MOTION to Dismiss <i>and/or Motion For Summary Judgment</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Declaration of Katherine Myrick, # <u>4</u> Declaration of David Hardy, # <u>5</u> Declaration of David Luczynski, # <u>6</u> Declaration of Valerie Yancey, # <u>7</u> Text of Proposed Order, # <u>8</u> Certificate of Service)(Taylor, Michael). Added MOTION for Summary Judgment on 3/4/2016 (zrdj). (Entered: 03/03/2016) |
| 03/04/2016 | <u>27</u> | ORDER: Plaintiff shall respond to the Department's motion for summary judgment on or before April 15, 2016. If Plaintiff wishes to file a cross-motion for summary judgment, he shall do so on or before that date. See Order for details. Signed by Judge Randolph D. Moss on 3/4/2016. (lcrdm2, ) (Entered: 03/04/2016)   |
| 03/07/2016 |           | Set/Reset Deadline: Plaintiff shall respond to the Department's motion for summary judgment on or before 4/15/2016. (kt) (Entered: 03/07/2016)  |
| 03/23/2016 | <u>28</u> | Memorandum in opposition to re <u>26</u> MOTION to Dismiss <i>and/or Motion For Summary Judgment</i> MOTION for Summary Judgment filed by RICHARD ALAN KING. (zrdj) (Entered: 03/25/2016)   |
| 04/04/2016 | <u>29</u> | ORDER: For the reasons set out in the attached Order, King's motions for sanctions <u>17</u> <u>18</u> <u>19</u> , motion for a declaratory judgment <u>20</u> , and motion to take judicial notice <u>21</u> are hereby DENIED. See Order for details. Signed by Judge Randolph D. Moss on 4/4/2016. (lcrdm2, ) (Entered: 04/04/2016)  |
| 04/07/2016 | <u>30</u> | MOTION for Extension of Time to File Response/Reply as to <u>26</u> MOTION to Dismiss <i>and/or Motion For Summary Judgment</i> MOTION for Summary Judgment by RICHARD ALAN KING (zrdj) (Entered: 04/11/2016)   |
| 04/11/2016 | <u>31</u> | ORDER: Plaintiff's motion for an extension of time <u>30</u> is hereby GRANTED. Plaintiff may file his opposition to the Department's motion to dismiss and/or motion for summary judgment, as well as his cross-motion for summary judgment, if any, on or before June 15, 2016. See Order for details. Signed by Judge Randolph D. Moss on 4/11/2016. (lcrdm2, ) (Entered: 04/11/2016)  |
| 04/11/2016 |           | Set/Reset Deadlines: Plaintiff may file his opposition to the Department's motion to dismiss and/or motion for summary judgment, as well as his cross-motion for summary judgment, if any, on or before 6/15/2016. (kt) (Entered: 04/11/2016)   |
| 04/13/2016 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$10.10, receipt number: 4616077043. (zrdj) (Entered: 04/13/2016)   |
| 05/09/2016 | <u>32</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Michael Benjamin Posner on behalf of UNITED STATES DEPARTMENT OF JUSTICE Substituting for attorney Michael S.Taylor (Posner, Michael) (Entered: 05/09/2016)  |

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| 05/11/2016 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$10.25, receipt number: 4616077519. (zrdj) (Entered: 05/12/2016)   |
| 06/09/2016 | <u>33</u> | Second MOTION for Extension of Time to File Response as to <u>26</u> MOTION to Dismiss <i>and/or Motion For Summary Judgment</i> by RICHARD ALAN KING (jf) (Entered: 06/13/2016)  |
| 06/13/2016 | <u>34</u> | ORDER: Plaintiff's motion for an extension of time <u>33</u> is hereby GRANTED. Plaintiff may file his opposition to the Department's motion to dismiss and/or motion for summary judgment as well as his cross-motion for summary judgment, if any, on or before August 15, 2016. The Clerk of Court is hereby directed to send Plaintiff a copy of the Department's motion as it appears on the public docket, as well as a printout of the public docket. See Order for details. Signed by Judge Randolph D. Moss on 6/13/2016. (lcrdm2, ) (Entered: 06/13/2016) |
| 06/13/2016 |           | Set/Reset Deadlines: Plaintiff may file his opposition to the Department's motion to dismiss and/or motion for summary judgment as well as his cross-motion for summary judgment, if any, on or before 8/15/2016. (kt) (Entered: 06/13/2016)  |
| 06/13/2016 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$10.30, receipt number: 4616078429. (zrdj) (Entered: 06/14/2016)   |
| 07/13/2016 | <u>35</u> | Letter to the Court from RICHARD ALAN KING "LEAVE TO FILE GRANTED", by Judge Randolph D. Moss(zrdj) (Entered: 07/13/2016)   |
| 07/18/2016 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$10.85, receipt number: 4616079450. (zrdj) (Entered: 07/18/2016)   |
| 08/09/2016 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$20.00, receipt number: 4616079811. (zrdj) (Entered: 08/09/2016)   |
| 08/11/2016 | <u>36</u> | MOTION for Extension of Time to File Response/Reply as to <u>26</u> MOTION to Dismiss <i>and/or Motion For Summary Judgment</i> MOTION for Summary Judgment by RICHARD ALAN KING (zrdj) (Entered: 08/15/2016)   |
| 08/24/2016 | <u>37</u> | ORDER: Upon consideration of plaintiff's third motion for an extension of time <u>36</u> , the motion is hereby GRANTED in part. Plaintiff may file his response to defendant's motion to dismiss and/or motion for summary judgment, as well as his cross-motion for summary judgment, if any, on or before October 7, 2016. No further extensions of time will be granted absent a showing of extraordinary circumstances. See order for details. Signed by Judge Randolph D. Moss on 8/24/2016. (lcrdm2, ) (Entered: 08/24/2016)                                 |
| 08/25/2016 |           | Set/Reset Deadlines: Plaintiff may file his response to defendant's motion to dismiss and/or motion for summary judgment, as well as his cross-motion for summary judgment, if any, on or before 10/7/2016. (kt) (Entered: 08/25/2016)  |
| 09/14/2016 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$2.65, receipt number: 4616080474. (zrdj) (Entered: 09/16/2016)  |
| 10/14/2016 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$2.00, receipt number: 4616081054. (zrdj) (Entered: 10/14/2016)  |
| 10/25/2016 | <u>38</u> | MOTION for Extension of Time by RICHARD ALAN KING (zrdj) (Entered: 10/26/2016)  |
| 10/31/2016 | <u>39</u> | ENTERED IN ERROR.....NOTICE OF SUBSTITUTION OF COUNSEL by Christopher Charles Hair on behalf of All Defendants Substituting for attorney Michael B. Posner (Hair, Christopher) Modified on 11/9/2016 (zrdj). (Entered: 10/31/2016)  |
| 11/03/2016 | <u>40</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Christopher Charles Hair on behalf of UNITED STATES DEPARTMENT OF JUSTICE Substituting for attorney Michael B. Posner (Hair, Christopher) (Entered: 11/03/2016)  |
| 11/09/2016 |           | MINUTE ORDER: Upon consideration of plaintiff's fourth motion for an extension of time <u>38</u> , the motion is hereby GRANTED, and plaintiff may file his response to defendant's motion to dismiss and/or motion for summary judgment, as well as his cross-motion for summary judgment, if any, on or before January 23, 2017. This   |



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|            |           | further extension allows plaintiff a total of 326 days to respond to defendant's motion. No further extensions will be granted. Signed by Judge Randolph D. Moss on 11/9/2016. (lcrdm2, ) (Entered: 11/09/2016)  |
| 11/09/2016 |           | Set/Reset Deadlines: Plaintiff may file his response to defendant's motion to dismiss and/or motion for summary judgment, as well as his cross-motion for summary judgment, if any, on or before 1/23/2017. (kt) (Entered: 11/09/2016)   |
| 11/10/2016 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$12.20, receipt number: 4616081540. (zrdj) (Entered: 11/14/2016)  |
| 12/13/2016 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$2.21, receipt number: 4616082028. (zrdj) (Entered: 12/14/2016)   |
| 01/10/2017 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$2.00, receipt number: 4616082398. (zrdj) (Entered: 01/17/2017)   |
| 01/24/2017 | <u>41</u> | MOTION To Toll Time to File Plaintiffs Opposition to Defendants Summary Judgment Motion by RICHARD ALAN KING "LEAVE TO FILE GRANTED" by Judge Randolph D. Moss (zrdj) (Entered: 01/26/2017)  |
| 01/26/2017 |           | MINUTE ORDER: Defendant is hereby ORDERED to respond to plaintiff's motion to toll time on or before February 2, 2017. In its opposition, defendant shall provide a chart showing which days over the past 365 days plaintiff has been on lockdown. Signed by Judge Randolph D. Moss on 1/26/2017. (lcrdm2, ) (Entered: 01/26/2017)                          |
| 01/27/2017 |           | Set/Reset Deadlines: Defendant is to respond to plaintiff's motion to toll time on or before 2/2/2017. (kt) (Entered: 01/27/2017)  |
| 01/31/2017 | <u>42</u> | Memorandum in opposition to re <u>41</u> MOTION To Toll Time to File Plaintiffs Opposition to Defendants Summary Judgment Motion filed by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Declaration Declaration of Michelle Cowart)(Hair, Christopher) (Entered: 01/31/2017)   |
| 02/13/2017 | <u>43</u> | MOTION to Modify minute Order, MOTION to Take Judicial Notice by RICHARD ALAN KING (zrdj) (Entered: 02/16/2017)  |
| 02/14/2017 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$2.15, receipt number: 4616082953. (zrdj) (Entered: 02/15/2017)   |
| 02/16/2017 | <u>44</u> | NOTICE of Lock down Status by RICHARD ALAN KING (td) (Entered: 02/22/2017)   |
| 03/01/2017 | <u>45</u> | Memorandum in opposition to re <u>43</u> MOTION to Modify MOTION to Take Judicial Notice filed by UNITED STATES DEPARTMENT OF JUSTICE. (Hair, Christopher) (Entered: 03/01/2017)   |
| 03/08/2017 | <u>46</u> | MEMORANDUM OPINION AND ORDER: Plaintiff's motion for an extension of time <u>41</u> and his motion to modify the Court's Minute Order of January 26, 2017, and for judicial notice <u>43</u> are hereby DENIED. See attached document for details. Signed by Judge Randolph D. Moss on 3/7/2017. (lcrdm2, ) Modified on 3/8/2017 (kt). (Entered: 03/08/2017) |
| 03/09/2017 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$7.0, receipt number: 4616083463. (zrdj) (Entered: 03/10/2017)  |
| 03/28/2017 | <u>47</u> | MEMORANDUM OPINION AND ORDER: Defendants' motion for summary judgment <u>26</u> is hereby GRANTED in part and DENIED in part without prejudice. See opinion for details. Signed by Judge Randolph D. Moss on 3/28/2017. (lcrdm2, ) (Entered: 03/28/2017)   |
| 04/27/2017 | <u>48</u> | MOTION for Extension of Time to <i>File Status Report and Proposed Briefing Schedule</i> by UNITED STATES DEPARTMENT OF JUSTICE (Hair, Christopher) (Entered: 04/27/2017)  |
| 05/04/2017 |           | MINUTE ORDER: Upon consideration of Defendant's motion for an extension of time <u>48</u> , the motion is hereby GRANTED, and it is hereby ORDERED that Defendant shall file a status report and proposed briefing schedule on or before May 25, 2017. Signed by Judge Randolph D. Moss on 5/4/2017. (lcrdm2, ) (Entered: 05/04/2017)                        |

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| 05/04/2017 |           | Set/Reset Deadlines: Defendant shall file a status report and proposed briefing schedule on or before 5/25/2017. (kt) (Entered: 05/04/2017)   |
| 05/18/2017 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$6.95, receipt number: 4616084690. (zrdj) (Entered: 05/19/2017)  |
| 05/25/2017 | <u>49</u> | STATUS REPORT <i>and Proposed Briefing Schedule</i> by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Declaration of David Luczynski)(Hair, Christopher) (Entered: 05/25/2017)   |
| 05/25/2017 |           | MINUTE ORDER: Upon consideration of defendant's status report and proposed briefing schedule <u>49</u> , it is hereby ORDERED that the following briefing schedule shall govern further proceedings in this matter: defendant may file a renewed motion for summary judgment on or before August 23, 2017; plaintiff may file an opposition to defendant's renewed motion for summary judgment on or before September 22, 2017; and defendant may file a reply in support of its renewed motion for summary judgment on or before October 9, 2017. Signed by Judge Randolph D. Moss on 5/25/2017. (lcrdm2, ) (Entered: 05/25/2017)  |
| 05/26/2017 |           | Set/Reset Deadlines: Defendant's renewed motion for summary judgment due on or before 8/23/2017; Plaintiff's opposition to defendant's renewed motion for summary judgment due on or before 9/22/2017; Defendant's reply in support of its renewed motion for summary judgment due on or before 10/9/2017. (kt) (Entered: 05/26/2017)   |
| 06/09/2017 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$8.00, receipt number: 4616085214. (zrdj) (Entered: 06/12/2017)  |
| 06/26/2017 | <u>50</u> | Memorandum in opposition to re <u>26</u> MOTION to Dismiss <i>and/or Motion For Summary Judgment</i> MOTION for Summary Judgment filed by RICHARD ALAN KING. "Okay to file" by Judge Randolph Moss (Attachments: # <u>1</u> Envelope)(td) (Entered: 06/28/2017)   |
| 06/26/2017 | 51        | Cross MOTION for Summary Judgment by RICHARD ALAN KING; (See docket entry no. <u>50</u> to view document.) (td) (Entered: 06/28/2017)   |
| 06/26/2017 | <u>52</u> | MOTION for Leave to File part two to defendant's Opposition to Defendant's Motion to Dismiss by RICHARD ALAN KING; "Okay to file" by Judge Randolph D. Moss (td) (Entered: 06/28/2017)  |
| 06/28/2017 | <u>53</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Joshua L. Rogers on behalf of UNITED STATES DEPARTMENT OF JUSTICE Substituting for attorney Christopher A. Hair (Rogers, Joshua) (Entered: 06/28/2017)   |
| 07/11/2017 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$2.34, receipt number: 4616085892. (zrdj) (Entered: 07/12/2017)  |
| 07/21/2017 | <u>54</u> | NOTICE to Court by RICHARD ALAN KING; (Document is illegible. Original sent to chambers.) (td) (Entered: 07/21/2017)  |
| 08/03/2017 |           | MINUTE ORDER: Plaintiff's Motion for Leave To File <u>52</u> contains unredacted personal identifiers, including Social Security numbers and dates of birth. Under Local Rule 5.4(f), parties are required to exclude or redact this information or to "file an unredacted document under seal." In light of Plaintiff's violation of Local Rule 5.4(f), it is hereby ORDERED that Plaintiff's Motion for Leave To File <u>52</u> be placed under seal. Plaintiff may file a redacted version of the pleading, but before doing so he shall serve (without filing) his proposed redacted pleading on counsel for Defendant, who may propose any additional redactions to the Court before the pleading is accepted for filing. Signed by Judge Randolph D. Moss on 8/3/2017. (lcrdm2, ) (Entered: 08/03/2017) |
| 08/03/2017 |           | MINUTE ORDER: It is hereby ORDERED that Defendant shall respond to Plaintiff's Motion for Leave To File Out of Time <u>52</u> on or before August 17, 2017. Defendant shall include, among other things, a declaration indicating whether counsel for Defendant received "part one" of Plaintiff's opposition to Defendant's Motion To Dismiss <u>26</u> , which Plaintiff asserts was sent to counsel on March 23, 2017, and, if so, on what date it was received. In addition, Defendant shall include a supplemental declaration indicating the days on which Plaintiff was on lockdown or otherwise precluded from accessing legal and computing resources since January 26, 2017.  |

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|            |           | Signed by Judge Randolph D. Moss on 8/3/2017. (lcrdm2, ) (Entered: 08/03/2017)  |
| 08/04/2017 |           | Set/Reset Deadlines: Defendant shall respond to Plaintiff's Motion for Leave To File Out of Time <u>52</u> on or before 8/17/2017. (kt) (Entered: 08/04/2017)   |
| 08/08/2017 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$10.36, receipt number: 4616086493. (zrdj) (Entered: 08/08/2017)   |
| 08/09/2017 | <u>55</u> | NOTICE of Change of Address by RICHARD ALAN KING (td) (Entered: 08/10/2017)   |
| 08/11/2017 | <u>56</u> | MOTION for Extension of Time to File <i>Response to Plaintiff's Motion for Leave to File Part Two of Opposition</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 08/11/2017)   |
| 08/12/2017 |           | MINUTE ORDER: Upon consideration of Defendant's Motion for Extension of Time, the motion is hereby GRANTED. Defendant shall file its response pursuant to the Court's August 3, 2017, minute order on or before September 18, 2017. Signed by Judge Randolph D. Moss on 8/12/2017. (lcrdm2, ) (Entered: 08/12/2017)   |
| 08/14/2017 |           | Set/Reset Deadlines: Defendant's Response due by 9/18/2017. (kt) (Entered: 08/14/2017)  |
| 08/22/2017 | <u>57</u> | MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 08/22/2017)   |
| 08/23/2017 |           | MINUTE ORDER: Upon consideration of Defendant's Motion for Extension of Time <u>57</u> , the motion is hereby GRANTED. The following schedule shall govern future proceedings in this matter: Defendant shall file a renewed motion for summary judgment on or before October 9, 2017; Plaintiff shall file an opposition on or before November 8, 2017; Defendant shall file a reply on or before November 29, 2017. Signed by Judge Randolph D. Moss on 8/23/2017. (lcrdm2, ) (Entered: 08/23/2017) |
| 08/23/2017 |           | Set/Reset Deadlines: Defendant shall file a renewed motion for summary judgment on or before 10/9/2017; Plaintiff shall file an opposition on or before 11/8/2017; Defendant shall file a reply on or before 11/29/2017. (kt) (Entered: 08/23/2017)   |
| 09/12/2017 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$20.00, receipt number: 4616087074. (zrdj) (Entered: 09/13/2017)   |
| 09/18/2017 | <u>58</u> | RESPONSE TO ORDER OF THE COURT by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Declaration)(Rogers, Joshua) Modified event title on 9/19/2017 (znmw). (Entered: 09/18/2017)   |
| 10/03/2017 | <u>59</u> | MOTION for Extension of Time to File <i>Renewed Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 10/03/2017)   |
| 10/04/2017 |           | MINUTE ORDER: Upon consideration of Defendant's Motion for Extension of Time <u>59</u> , the motion is hereby GRANTED. The following schedule shall govern further proceedings in this matter: Defendant shall file its renewed motion for summary judgment on or before November 8, 2017; Plaintiff shall file a response on or before December 11, 2017; Defendant shall file a reply on or before January 4, 2018. Signed by Judge Randolph D. Moss on 10/4/2017. (lcrdm2, ) (Entered: 10/04/2017) |
| 10/11/2017 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$30.41, receipt number: 4616087557. (zrdj) (Entered: 10/12/2017)   |
| 10/25/2017 | <u>60</u> | REPLY re <u>58</u> RESPONSE TO ORDER OF THE COURT by UNITED STATES DEPARTMENT OF JUSTICE filed by RICHARD ALAN KING. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D); (Portions of exhibits are illegible, Original document submitted to chambers)(td) (Entered: 10/26/2017)   |
| 11/07/2017 | <u>61</u> | MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 11/07/2017)   |



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| 11/07/2017 |           | MINUTE ORDER: Upon consideration of Defendant's motion for extension of time <u>61</u> , the motion is hereby GRANTED. The following schedule shall govern further proceedings in this matter: Defendant shall file its renewed motion for summary judgment on or before January 8, 2018; Plaintiff shall file a response on or before February 16, 2018; Defendant shall file a reply on or before March 9, 2018. Signed by Judge Randolph D. Moss on 11/7/2017. (lcrdm2, ) (Entered: 11/07/2017)  |
| 11/08/2017 |           | Set/Reset Deadlines: Defendant shall file its renewed motion for summary judgment on or before 1/8/2018; Plaintiff shall file a response on or before 2/16/2018; Defendant shall file a reply on or before 3/9/2018. (kt) (Entered: 11/08/2017)   |
| 11/08/2017 |           | Partial Filing Fee Received from Richard Alan King in the amount of \$20.95, receipt number: 4616087982. (td) (Entered: 11/08/2017)   |
| 11/10/2017 | <u>62</u> | MEMORANDUM OPINION AND ORDER: It is hereby ORDERED that King is DENIED leave to file "part one" of his opposition and cross-motion for summary judgment, Dkt. 50. It is further ORDERED that Plaintiff's motion for leave to file "part two" of his opposition and cross-motion for summary judgment, Dkt. 52 at 1-4, is DENIED. It is further ORDERED that Plaintiff's motion for reconsideration, Dkt. 52 at 5-66, is DENIED. See document for details. Signed by Judge Randolph D. Moss on 11/10/2017. (lcrdm2, ) Modified on 11/13/2017 to add hyphens to page ranges and to change document type to "Opinion" (kt). (Entered: 11/10/2017)  |
| 11/29/2017 |           | MINUTE ORDER: The Court is in receipt of a letter from Plaintiff expressing his opposition to Defendant's motion for an extension <u>61</u> . The Court granted that motion on November 7, 2017, and no further action is necessary. Signed by Judge Randolph D. Moss on 11/29/2017. (lcrdm2, ) (Entered: 11/29/2017)   |
| 12/22/2017 | <u>63</u> | MOTION to Vacate <u>62</u> Order on Motion for Leave to File., by RICHARD ALAN KING (td) (Main Document 63 replaced with darker copy on 12/27/2017) (td). Modified on 12/27/2017 (td).(some pages are illegible. Original sent to chambers.) (Entered: 12/27/2017)  |
| 12/28/2017 |           | MINUTE ORDER: Upon consideration of Plaintiff's motion to vacate <u>63</u> , the motion is hereby DENIED. Plaintiff has not presented any new evidence or other consideration that would justify vacating the Court's order denying him leave to file out of time. Instead, Plaintiff argues that he timely filed "part one" of his opposition under the prisoner mailbox rule because he delivered "part one" to prison authorities on March 23, 2017, five days before the Court granted Defendant's motion for summary judgment. Dkt. <u>63</u> at 4. The relevant deadline, however, was January 23, 2017—the date set by the Court when it granted Plaintiff's fourth motion for an extension. See Minute Order (Nov. 9, 2016). In that Minute Order, the Court also explained that "[n]o further extensions w[ould] be granted." Id. By Plaintiff's own account, he did not deliver "part one" of his opposition to prison authorities until two months after the firm deadline set by the Court after granting multiple extensions. His filing was, accordingly, many weeks late by any account. The Clerk of Court is directed to mail a copy of this order to Plaintiff at his address of record. Signed by Judge Randolph D. Moss on 12/28/2017. (lcrdm2, ) (Entered: 12/28/2017) |
| 01/02/2018 | <u>64</u> | MOTION for Extension of Time to <i>file Renewed Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 01/02/2018)   |
| 01/02/2018 |           | MINUTE ORDER: Upon consideration of Defendant's Motion for Extension of Time <u>64</u> , the motion is hereby GRANTED. The following schedule shall govern further proceedings in this matter: Defendant shall file its renewed motion for summary judgment on or before January 29, 2018; Plaintiff shall file a response on or before March 30, 2018; Defendant shall file a reply on or before April 20, 2018. The Clerk of Court is directed to mail a copy of this Order to Plaintiff at his address of record. Signed by Judge Randolph D. Moss on 1/2/2018. (lcrdm2, ) (Entered: 01/02/2018)   |
| 01/03/2018 |           | Set/Reset Deadlines: Summary Judgment motion due by 1/29/2018; Response to Motion for Summary Judgment due by 3/30/2018; Reply to Motion for Summary Judgment due by 4/20/2018. (kt) (Entered: 01/03/2018)  |
| 01/05/2018 | <u>65</u> | MOTION for Order to Show Cause by RICHARD ALAN KING (td) (Entered: 01/11/2018)  |

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| 01/09/2018 |           | Partial Filing Fee Received from Richard Alan King in the amount of \$6.84, receipt number: 4616088922. (zrdj) (Entered: 01/11/2018)  |
| 01/18/2018 |           | MINUTE ORDER: Plaintiff has filed a motion for an order to show cause <u>65</u> . The motion states that Plaintiff received notice that the DEA intends to withhold documents that it received from EOUSA. Dkt. <u>65</u> at 1. Plaintiff requests that the Court order Defendant to show cause "why it failed to noti[fy] Plaintiff" of this "action" and to "turn over the documents" in question for an in camera inspection. Id. at 2. The Court denied Defendant's earlier motion for summary judgment as to EOUSA in an earlier memorandum opinion and order <u>47</u> and granted Defendant leave to file a renewed motion. That motion is due on January 29, 2018. Because Plaintiff's motion for an order to show cause appears to relate to his claim as to EOUSA, it is hereby ORDERED that the motion is DENIED as premature. Plaintiff may raise his arguments in his response to Defendant's renewed motion for summary judgment and, if appropriate, in a cross-motion for summary judgment. Signed by Judge Randolph D. Moss on 1/18/2018. (lcrdm2, ) (Entered: 01/18/2018) |
| 01/22/2018 | <u>66</u> | MOTION for Extension of Time to File by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 01/22/2018)  |
| 01/23/2018 |           | MINUTE ORDER: Upon consideration of Defendant's motion for extension <u>66</u> , the motion is hereby DENIED as moot. Signed by Judge Randolph D. Moss on 1/23/2018. (lcrdm2, ) (Entered: 01/23/2018)   |
| 01/29/2018 | <u>67</u> | MOTION for Extension of Time to <i>file renewed Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 01/29/2018)   |
| 01/30/2018 |           | MINUTE ORDER: Upon consideration of Defendant's motion for extension <u>67</u> , the motion is hereby GRANTED. It is hereby ORDERED that the briefing schedule entered on January 2, 2018, is hereby VACATED. It is further ORDERED that Defendant shall file its motion for summary judgment on or before February 5, 2018. Signed by Judge Randolph D. Moss on 1/30/2018. (lcrdm2, ) (Entered: 01/30/2018)  |
| 01/30/2018 |           | Set/Reset Deadlines: Defendant shall file its motion for summary judgment on or before 2/5/2018. (kt) (Entered: 01/30/2018)   |
| 02/05/2018 | <u>68</u> | MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order, # <u>4</u> Declaration DEA, # <u>5</u> Exhibit DEA, # <u>6</u> Declaration EOUSA, # <u>7</u> Exhibit EOUSA, # <u>8</u> EOUSA Vaughn)(Rogers, Joshua) (Entered: 02/05/2018)   |
| 02/06/2018 | <u>69</u> | ORDER: It is hereby ORDERED that Plaintiff shall respond to Defendant's Motion for Summary Judgment <u>68</u> on or before April 6, 2018. If Plaintiff does not file a response within the time provided, Plaintiff may not have the opportunity to be heard on the motion and the Court may resolve the case based exclusively on Defendant's submission. See document for details. Signed by Judge Randolph D. Moss on 2/6/2018. (lcrdm2, ) (Entered: 02/06/2018)   |
| 02/06/2018 |           | Set/Reset Deadlines: Response to Motion for Summary Judgment due by 4/6/2018. (kt) (Entered: 02/06/2018)  |
| 02/12/2018 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$28.00, receipt number: 4616089445. (zrdj) (Entered: 02/12/2018)   |
| 03/13/2018 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$10.00, receipt number: 4616089994. (zrdj) (Entered: 03/15/2018)   |
| 03/19/2018 | <u>70</u> | MOTION for Extension of Time to File Response/Reply as to <u>68</u> MOTION for Summary Judgment by RICHARD ALAN KING (td) (Entered: 03/23/2018)   |
| 03/23/2018 |           | MINUTE ORDER: Plaintiff's motion for extension <u>70</u> is hereby GRANTED. Plaintiff shall respond to Defendant's motion for summary judgment on or before June 15, 2018. In light of the length of this extension and Plaintiff's history of seeking repeated and lengthy extensions, the Court expects that Plaintiff will be able to file his response without any further extensions. Signed by Judge Randolph D. Moss on 3/23/2018.   |

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|            |           | (lcrdm2, ) (Entered: 03/23/2018)  |
| 03/25/2018 |           | Set/Reset Deadlines: Plaintiff's Response to Defendant's Motion for Summary Judgment due by 6/15/2018. (kt) (Entered: 03/25/2018)   |
| 04/10/2018 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$25.32, receipt number: 4616090419. (zrdj) (Entered: 04/18/2018)   |
| 05/11/2018 |           | Partial Filing Fee Received from RICHARD ALAN KING in the amount of \$42.08, receipt number: 4616090999. (zrdj) (Entered: 05/15/2018)   |
| 06/22/2018 | <u>71</u> | Cross MOTION for Summary Judgment by RICHARD ALAN KING (zrdj) (Entered: 06/28/2018)   |
| 07/01/2018 |           | MINUTE ORDER: It is hereby ORDERED that Defendant shall file a combined reply and opposition on or before July 19, 2018, and Plaintiff shall file a reply on or before August 23, 2018. Signed by Judge Randolph D. Moss on 7/1/2018. (lcrdm2, ) (Entered: 07/01/2018)  |
| 07/02/2018 |           | Set/Reset Deadlines: Defendant shall file a combined reply and opposition on or before 7/19/2018; Plaintiff shall file a reply on or before 8/23/2018. (kt) (Entered: 07/02/2018)   |
| 07/26/2018 |           | MINUTE ORDER: Defendant was ordered to file a combined reply and opposition to Plaintiff's Cross Motion for Summary Judgment on or before July 19, 2018. See 7/01/18 Minute Order. Defendant has not done so. It is hereby ORDERED that Defendant shall file a combined reply and opposition on or before August 3, 2018. Signed by Judge Randolph D. Moss on 7/26/18. (lcrdm2, ) (Entered: 07/26/2018)   |
| 07/26/2018 |           | Set/Reset Deadlines: Defendant shall file a combined reply and opposition on or before 8/3/2018. (kt) (Entered: 07/26/2018)   |
| 08/02/2018 | <u>72</u> | RESPONSE re <u>71</u> MOTION for Summary Judgment <i>and Reply to Opposition to Defendant's Motion for Summary Judgment</i> filed by UNITED STATES DEPARTMENT OF JUSTICE. (Rogers, Joshua) (Entered: 08/02/2018)  |
| 08/02/2018 | 74        | REPLY to opposition re <u>68</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF JUSTICE. (See Docket Entry <u>72</u> to view document) (jf) (Entered: 08/08/2018)   |
| 08/03/2018 | <u>73</u> | NOTICE of Opposition/Reply Attachment <u>72</u> RESPONSE re <u>71</u> MOTION for Summary Judgment and 74 Reply to Opposition to Defendant's Motion for Summary Judgment by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Statement of Facts)(Rogers, Joshua) Modified on 8/16/2018 to add docket link (jf). (Entered: 08/03/2018)  |
| 08/08/2018 |           | NOTICE OF ERROR re <u>72</u> Response to motion; emailed to joshua.rogers3@usdoj.gov, cc'd 1 associated attorneys — The PDF file you docketed contained errors: 1. Two-part docket entry, 2. DO NOT REFILE – Counsel is reminded to docket all parts of their filing(s) (zjf, ) (Entered: 08/08/2018)   |
| 08/21/2018 | <u>75</u> | MOTION for Extension of Time to File Response/Reply as to <u>71</u> MOTION for Summary Judgment by RICHARD ALAN KING and <u>73</u> NOTICE of Opposition/Reply Attachment <u>72</u> RESPONSE re <u>71</u> MOTION for Summary Judgment and 74 Reply to Opposition to Defendant's Motion for Summary Judgment by UNITED STATES DEPARTMENT OF JUSTICE. (tth) (Entered: 08/22/2018)  |
| 08/23/2018 |           | MINUTE ORDER: Upon consideration of Plaintiff's motion for extension of time, Dkt. 75, it is hereby ORDERED that the motion is GRANTED, but with an important qualification. Plaintiff shall file a reply brief in support of his own motion for summary judgment, Dkt. 71, on or before November 23, 2018. The Court notes, however, that it has granted Plaintiff numerous, lengthy extensions of time over the course of this litigation and that Plaintiff's repeated extension requests (and failure to meet Court deadlines) have substantially delayed the resolution of this case. Defendant filed its pending motion for summary judgment, Dkt. 68, on February 5, 2018 over six months ago. At that time, the Court sua sponte granted Plaintiff until April 6, 2018 to file a response. See Feb. 6, 2018 Minute Order. The Court then granted Plaintiff a further extension until June 15, 2018. See Mar. 19, 2018 Minute Order. Defendant's pending |

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|            |           | <p>motion for summary judgment, Dkt. 68, is now fully briefed. See Dkt. 74. To the extent that Plaintiff's reply in support of his own motion for summary judgment parallels arguments made in Defendant's motion for summary judgment, Plaintiff is advised that the Court intends promptly to resolve the Defendant's fully briefed and long-pending motion for summary judgment, Dkt. 68, and will do so on the basis of whatever papers are before the Court. If Plaintiff would like the Court to consider his cross-motion for summary judgment at the same time it considers Defendant's motion for summary judgment, he should file his reply brief on or before September 15, 2018. Otherwise, the Court will decide Defendant's motion for summary judgment before briefing is complete on Plaintiff's cross-motion. Under those circumstances, the Court will only consider Plaintiff's cross-motion to the extent the Court's disposition of Defendant's motion has not already resolved the relevant issues. The Clerk of Court is directed to mail a copy of this Order to Plaintiff at his address of record. Signed by Judge Randolph D. Moss on 8/23/2018. (lcrdm2, ) (Entered: 08/23/2018)</p> |
| 08/23/2018 |           | <p>Set/Reset Deadlines: Plaintiff shall file a reply brief in support of his own motion for summary judgment, Dkt. 71, on or before 11/23/2018; If Plaintiff would like the Court to consider his cross-motion for summary judgment at the same time it considers Defendant's motion for summary judgment, he should file his reply brief on or before 9/15/2018. (kt) (Entered: 08/23/2018)</p>   |
| 09/17/2018 | <u>76</u> | <p>NOTICE of Change of Address by RICHARD ALAN KING (ztd) (Entered: 09/20/2018)</p>  |
| 09/17/2018 | 77        | <p>MOTION for Extension of Time to File Response/Reply by RICHARD ALAN KING; (See docket entry no. <u>76</u> to view document) (ztd) (Entered: 09/20/2018)</p>   |
| 09/23/2018 | <u>78</u> | <p>MEMORANDUM OPINION AND ORDER: Upon consideration of Defendant's Motion for Summary Judgment, Dkt. <u>68</u> , it is hereby ORDERED that the motion is DENIED. See document for details. Signed by Judge Randolph D. Moss on 9/23/2018. (lcrdm2, ) (Entered: 09/23/2018)</p>   |
| 09/23/2018 |           | <p>MINUTE ORDER: Upon consideration of Plaintiff's Motion for an Extension of Time to File, 77 , it is hereby ORDERED that the motion is GRANTED. In light of the Court's memorandum opinion, Dkt. <u>78</u> , it is hereby ORDERED that Defendant shall renew its motion for summary judgment on or before November 7, 2018; that Plaintiff shall file a combined opposition and reply brief in support of his own motion for summary judgment on or before December 23, 2018; and that Defendant shall submit its reply brief on or before January 7, 2019. In light of Plaintiff's history of seeking multiple lengthy extensions, Plaintiff is cautioned that he will need to meet this schedule. Signed by Judge Randolph D. Moss on 9/23/2018. (lcrdm2, ) (Entered: 09/23/2018)</p>  |
| 09/24/2018 |           | <p>Set/Reset Deadlines: Defendant's renewed motion for summary judgment due on or before 11/7/2018; Plaintiff's combined opposition and reply brief in support of his own motion for summary judgment due on or before 12/23/2018; Defendant's reply brief due on or before 1/7/2019. (kt) (Entered: 09/24/2018)</p>   |
| 11/02/2018 | <u>79</u> | <p>MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 11/02/2018)</p>   |
| 11/05/2018 |           | <p>MINUTE ORDER: In the Court's prior memorandum opinion, the Court denied Defendant's motion for summary judgment based, in part, on the agency's description of the adequacy of its search. See Dkt. 78. Defendant has now informed the Court "that one of the United States Attorneys' Offices that was searched for responsive records did not receive one of Plaintiff's FOIA requests" and, accordingly, "Defendant has asked the district to perform a new search for responsive records," Dkt. 79. In light of these developments, it is hereby ORDERED that (1) Plaintiff's previous cross-motion for summary judgment, Dkt. 71, is DENIED without prejudice; (2) Defendant shall file a motion for summary judgment on or before January 2, 2019; (3) Plaintiff shall file a combined opposition and cross-motion for summary judgment on or before March 4, 2019; (4) Defendant shall file a combined opposition and reply brief on or before March 18, 2019; and (5) Plaintiff shall file a reply brief on or before April 17, 2019. Signed by Judge Randolph D. Moss on 11/5/2018. (lcrdm2, ) (Entered: 11/05/2018)</p>   |



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| 11/05/2018 |           | Set/Reset Deadlines: Plaintiffs Cross Motion due by 3/4/2019. Response to Cross Motion due by 3/18/2019. Reply to Cross Motion due by 4/17/2019. Defendant's Summary Judgment Motion due by 1/2/2019. Response to Motion for Summary Judgment due by 3/4/2019. Reply to Motion for Summary Judgment due by 3/18/2019. (dot) (Entered: 11/07/2018)  |
| 12/26/2018 | <u>80</u> | MOTION to Stay <i>All Proceedings in Light of Lapse of Appropriations</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 12/26/2018)  |
| 12/27/2018 |           | MINUTE ORDER: Upon consideration of Defendants motion to stay, Dkt. <u>80</u> , it is hereby ORDERED that the motion is GRANTED. This case shall be stayed until further order of the Court. It is further ORDERED that the parties shall meet and confer and submit a revised briefing schedule as soon as Congress appropriates funding for the Department of Justice to resume work. The Clerk of Court is directed to mail a copy of Defendants' motion, Dkt. 80, as well as a copy of this order to the Plaintiff at his address of record. Signed by Judge Randolph D. Moss on 12/27/2018. (lcrdm2, ) (Entered: 12/27/2018)  |
| 01/29/2019 | <u>81</u> | MOTION for Extension of Time to File <i>Status Report</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 01/29/2019)  |
| 01/31/2019 |           | MINUTE ORDER: Upon consideration of Defendant's motion for an extension of time to file status report, Dkt. 81, it is hereby ORDERED that the motion is GRANTED. It is ORDERED that the stay in this case is lifted. It is further ORDERED that the parties shall meet and confer and submit a revised briefing schedule on or before Wednesday, February 5, 2019. Signed by Judge Randolph D. Moss on 1/31/2019. (lcrdm2, ) (Entered: 01/31/2019)   |
| 01/31/2019 |           | Set/Reset Deadlines: The parties shall meet and confer and submit a revised briefing schedule on or before 2/5/2019. (kt) (Entered: 01/31/2019)  |
| 02/05/2019 | <u>82</u> | MEET AND CONFER STATEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 02/05/2019)  |
| 02/06/2019 |           | MINUTE ORDER: Upon consideration of Defendant's Meet and Confer Statement, Dkt. 82, it is hereby ORDERED that the briefing schedule in this matter will be as follows: Defendant shall file a motion for summary judgment on or before March 15, 2019; Plaintiff's opposition and/or any cross-motion for summary judgment is due on or before April 15, 2019; Defendant shall file a response/reply on or before May 15, 2019; and Plaintiff shall file a reply on or before June 14, 2019. Signed by Judge Randolph D. Moss on 2/6/2019. (lcrdm2, ) (Entered: 02/06/2019)  |
| 02/06/2019 |           | Set/Reset Deadlines: Defendant's Summary Judgment Motion due by 3/15/2019. Response to Motion for Summary Judgment due by 4/15/2019. Reply to Motion for Summary Judgment due by 5/15/2019. Plaintiff's Cross Motion due by 4/15/2019. Response to Cross Motions due by 5/15/2019. Reply to Cross Motions due by 6/14/2019. (dot) (Entered: 02/07/2019)  |
| 03/14/2019 | <u>83</u> | MOTION for Extension of Time to File <i>Renewed Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 03/14/2019)  |
| 03/15/2019 |           | MINUTE ORDER: Upon consideration of Defendant's Motion for Extension of Time, Dkt. 83, it is hereby ORDERED that Defendants Motion is GRANTED. It is FURTHER ORDERED that the following briefing schedule will govern future proceedings: Defendant shall file a renewed motion for summary judgment on or before May 14, 2019; Plaintiff shall file an opposition and may also file a cross-motion for summary judgment on or before June 28, 2019; Defendant shall file a reply brief and, if necessary, combined opposition brief on or before July 29, 2019; and Plaintiff shall, if necessary, file a reply brief on or before August 28, 2019. Signed by Judge Randolph D. Moss on 3/15/2019. (lcrdm2, ) (Entered: 03/15/2019) |
| 03/15/2019 |           | Set/Reset Deadlines: Defendant shall file a renewed motion for summary judgment on or before 5/14/2019; Plaintiff shall file an opposition and may also file a cross-motion for summary judgment on or before 6/28/2019; Defendant shall file a reply brief and, if necessary, combined opposition brief on or before 7/29/2019; and Plaintiff shall, if   |

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|            |           | necessary, file a reply brief on or before 8/28/2019. (kt) (Entered: 03/15/2019)   |
| 05/10/2019 | <u>84</u> | MOTION for Extension of Time to File <i>Dispositive Motion</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 05/10/2019)   |
| 05/10/2019 |           | MINUTE ORDER: Upon consideration of Defendant's Motion for Extension of Time, Dkt. 84, it is hereby ORDERED that the Motion is GRANTED. Defendant shall file its renewed motion for summary judgment on or before July 29, 2019. Signed by Judge Randolph D. Moss on 5/10/2019. (lcrdm2, ) (Entered: 05/10/2019)   |
| 05/10/2019 | <u>85</u> | ERRATA by UNITED STATES DEPARTMENT OF JUSTICE <u>84</u> MOTION for Extension of Time to File <i>Dispositive Motion</i> filed by UNITED STATES DEPARTMENT OF JUSTICE. (Rogers, Joshua) (Entered: 05/10/2019)  |
| 05/13/2019 |           | Set/Reset Deadlines: Defendant's Renewed Summary Judgment Motion due by 7/29/2019. (kt) (Entered: 05/13/2019)  |
| 06/20/2019 | <u>86</u> | MOTION for Order to Show Cause by RICHARD ALAN KING (ztd) (Entered: 06/24/2019)  |
| 06/28/2019 | <u>87</u> | MOTION to Vacate <i>the Briefing Schedule</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 06/28/2019)  |
| 06/28/2019 | <u>88</u> | RESPONSE re <u>86</u> MOTION for Order to Show Cause filed by UNITED STATES DEPARTMENT OF JUSTICE. (Rogers, Joshua) (Entered: 06/28/2019)  |
| 07/01/2019 |           | MINUTE ORDER: In light of Defendant's response to the motion for order to show cause, Dkt. 88, it is hereby ORDERED that the motion for order to show cause, Dkt. 86, is DENIED as MOOT. It is FURTHER ORDERED that the Court's briefing schedule is VACATED and, on or before July 22, 2019, Plaintiff shall file a notice with the Court indicating whether he objects to Defendant's proposal to file a status report on or before August 12, 2019, informing the Court of the status of the case and proposing a schedule for further proceedings, if necessary. Signed by Judge Randolph D. Moss on 7/1/2019. (lcrdm2, ) (Entered: 07/01/2019)                            |
| 07/02/2019 |           | Set/Reset Deadlines: Plaintiff's Status Report due by 8/12/2019. (kt) (Entered: 07/02/2019)  |
| 08/12/2019 | <u>89</u> | STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Rogers, Joshua) (Entered: 08/12/2019)   |
| 08/14/2019 |           | MINUTE ORDER: Upon consideration of Defendant's status report, Dkt. 89, it is hereby ORDERED that the following briefing schedule will govern future proceedings: Defendant shall file a renewed motion for summary judgment on or before October 4, 2019; Plaintiff shall file an opposition and may also file a cross-motion for summary judgment on or before November 15, 2019; Defendant shall file a reply brief and, if necessary, combined opposition brief on or before December 13, 2019; and Plaintiff shall, if necessary, file a final reply brief on or before January 3, 2020. Signed by Judge Randolph D. Moss on 08/14/2019. (lcrdm2, ) (Entered: 08/14/2019) |
| 08/14/2019 |           | Set/Reset Deadlines: Defendant shall file a renewed motion for summary judgment on or before 10/4/2019; Plaintiff shall file an opposition and may also file a cross-motion for summary judgment on or before 11/15/2019; Defendant shall file a reply brief and, if necessary, combined opposition brief on or before 12/13/2019; and Plaintiff shall, if necessary, file a final reply brief on or before 1/3/2020. (kt) (Entered: 08/14/2019)   |
| 10/03/2019 | <u>90</u> | MOTION for Extension of Time to File <i>Renewed Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 10/03/2019)  |
| 10/03/2019 |           | MINUTE ORDER: Upon consideration of Defendant's motion for extension of time, Dkt. 90, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the briefing schedule shall be MODIFIED as follows: Defendant shall file a renewed motion for summary judgment on or before November 18, 2019; Plaintiff shall file an opposition and may also file a cross-motion for summary  |

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|  |  | judgment on or before December 13, 2019; Defendant shall file a reply brief and, if necessary, combined opposition brief on or before January 3, 2019; and Plaintiff shall, if necessary, file a final reply brief on or before January 18, 2020.. Signed by Judge Randolph D. Moss on 10/03/2019. (lcrdm2, ) (Entered: 10/03/2019) |
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